

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY, CALIFORNIA  
AND RECORD OF ACTION**

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**June 24, 2003**

**FROM: EMIL A. MARZULLO, Director**  
Special Districts Department

**SUBJECT: ADOPT MITIGATED NEGATIVE DECLARATION FOR A NEW COMMUNITY  
PARK PROJECT, FILE THE NOTICE OF DETERMINATION - COUNTY  
SERVICE AREA 9 (PHELAN)**

**RECOMMENDATION:** Acting as the governing body of County Service Area 9 (Phelan):

1. Accept the "Environmental Initial Study" prepared by Lilburn Corporation for the development of a new community park in the Phelan area.
2. Adopt the "Mitigated Negative Declaration" to comply with the environmental review of the Project.
3. Adopt the "Mitigation Monitoring and Reporting Program" as identified by Lilburn Corporation.
4. Direct the Clerk of the Board of Supervisors to file the "Notice of Determination" and the "Certificate of Fee Exemption" for the project.
5. Accept the "De Minimis Impact Finding".

**BACKGROUND INFORMATION:** The Special Districts Department maintains and operates County Service Area 9, (CSA 9). This District provides various community services to the residents of the Phelan area that include park and recreation. The community has expressed desire that a community park is needed in the area to afford children and adults a central location to engage in varied recreational activities from picnics to leisure sports that they currently do not have. To meet this need, the District sought and obtained funding through State Proposition 12 (Safe Parks Initiative) and contracted with several professionals and members of the community to perform the environmental analysis and design of a proposed 2.1-acre park site. The property is currently in the process of being acquired through County Real Estate Services Division.

An Environmental Phase I, and Fatal Flaw analysis was performed by Lilburn Corporation to clear the purchase of the park site property. No adverse conditions were found as a result of that analysis. CSA 9, retained Lilburn Corporation to conduct an initial environmental study (IS) and review for the project. All mitigating measures identified in the Initial Study are being adopted as conditions of the project and will be implemented in the design through a mitigated monitoring and reporting program. This study was submitted to the State Clearinghouse on April 21, 2003, for public and governmental agency review and comment period. That period concluded on May 20, 2003. No Comments were received and it is staff's recommendation that a Mitigated Negative Declaration with a "De Minimis Impact Finding" is appropriate and is recommended for adoption by the Board.

<b>Record of Action of the Board of Supervisors</b>	

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Funding for the project is from State Proposition 12 (Safe Parks Initiative, Prop 12), approved by the voters in 2000, and has been awarded \$450,000 in grants to construct this project. Costs associated with the environmental review and document preparation process will be reimbursed by the grant.

Pursuant to the provisions of CEQA, the San Bernardino County Environmental Review Guidelines, the Initial Study, and the absence of any comments made by other interested agencies through the State Clearinghouse review period, this project has been deemed not to have any significant impacts upon the environment. Therefore, the project meets compliance under the CEQA environmental review process and should include the actions as recommended above.

**REVIEW BY OTHERS:** This action has been reviewed by County Counsel (L. Thomas Krahelski) on June 10, 2003, and by the County Administrative Office (Wayne Thies, Administrative Analyst) on June 12, 2003.

**FINANCIAL IMPACT:** The environmental review process costs less than \$15,000 and is being paid through an on-call, multi-year service contract with Lilburn Corp. Project is funded through Prop 12 (Park Development Grants) program. This project received a \$450,000 grant to build a new park, which has been approved and budgeted in Fiscal Year 2002/2003, through the District's Capital Improvement Account (CLC-145). No County General Funds are used to fund this project.

**SUPERVISORIAL DISTRICT(S):** First

**PRESENTER:** Emil A. Marzullo (387-5950)